

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
32104

In Re Application Of: **Mark Zeh et al**

JUL 19 2004

PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/825,915	4/16/2004	To be assigned	29668	To be assigned	

**Title: ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING AND RELATED METHODS**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

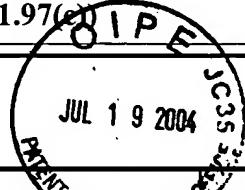
**OR**

the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
 32104

In Re Application: **Mark Zeh et al**



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/825,915	4/16/2004	TRADEMARK	To be assigned	29668	To be assigned

**ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING**

**RELATED METHODS**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of \_\_\_\_\_ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. **23-0458** as described below.

Charge the amount of \_\_\_\_\_

Credit any overpayment.

Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

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 Signature

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 Typed or Printed Name of Person Signing Certificate

\*This certificate may only be used if paying by deposit account.

*Kenneth G. Lemke*  
 Signature

**Kenneth G. Lemke**

Reg. No. 47,746

Warner-Lambert Company LLC

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Customer Account No. 29668

cc:

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on **7/15/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Christine Avenoso*

Signature of Person Mailing Correspondence

Christine Avenoso

Typed or Printed Name of Person Mailing Certificate

Dated: *July 15, 2004*

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Zeh et al

Serial No.: 10/825,915



Art Unit : To be Assigned

Filed : April 16, 2004

Examiner : To be Assigned

For : ORAL COMPOSITION APPLICATOR DEVICES INCLUDING CAP ACTUATED DISPENSING  
AND RELATED METHODS

Date :

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R. §§ 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein. In accordance with 37 C.F.R. § 1.97 (b) (3), this Information Disclosure Statement is being submitted within three months of the application filing date.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney or agent of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. SECTION §1.8

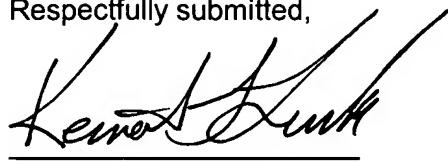
I hereby certify that this Information Disclosure Statement and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this 11/5/04 date, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Christine Avenoso

Please credit any overpayment or charge any additional fees to Deposit Account No.:  
23-0458.

Date: 7-15-04

Respectfully submitted,



Kenneth G. Lemke  
Attorney for the Applicant  
Reg. No. 47,746

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CUSTOMER NO. 29668

Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 32104	SERIAL NO. 10/825,915		
INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				APPLICANT Mark Zeh et al			
				FILING DATE April 16, 2004	GROUP ART UNIT To be assigned		
<b>PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		10/826,117		Oral Composition Applicator Devices Including Twist Off Closure Member and Related Methods			4/16/2004
		10/825,812		Oral Composition Applicator Devices Including Piercing Section and Related Methods			4/16/2004
		10/835,940		Oral Composition Applicator Devices Including Movable Applicator Surface and Related Methods			4/16/2004
		29/203617		Applicator Device			4/16/2004
		29/203616		Applicator Device			4/16/2004
		29/203623		Applicator Device			4/16/2004
		29/203611		Applicator Device			4/16/2004
		29/203612		Applicator Device			4/16/2004
		29/203610		Applicator Device			4/16/2004
		29/203619		Applicator Device			4/16/2004
<b>FOREIGN PATENT DOCUMENTS</b>							
REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO
	DE19509339A1						
	DE3324164A1						
	DE3528596A1						
	DE3638696A1						
	DE4429032A1						
	EP0290873A2						
	FR2550429A1						
	FR2579874A1						
	FR2592287A1						
	FR2617695A1						
	FR2626454A1						
	FR2639804A1						

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<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
							YES      NO
		FR2646068A1					
		FR2651102A1					
		FR2696916A1					
		FR2734695A1					
		FR2780254A1					
		FR2822658A1					
		GB2070922A					
		GB2194728A					
		GB2210778A					
		JP407327738A					
		JP409215524A					
		WO02058508A2					
		WO9508934A1					
		WO9616572A1					
		WO9713428A1					
		WO04021914A2					
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
EXAMINER				DATE CONSIDERED			
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.							

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		FILING DATE April 16, 2004	GROUP ART UNIT To be assigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US001002468					
		US001189698					
		US001768301					
		US001780066					
		US001796893					
		US001891324					
		US002053145					
		US002111880					
		US002155245					
		US002206726					
		US002244699					
		US002250758					
		US002299564					
		US002311760					
		US002323378					
		US002459285					
		US002468733					
		US002476686					
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		US003261367					

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US003356095					
		US003417762					
		US003536410					
		US003589822					
		US003589823					
		US003593725					
		US003734106					
		US003738762					
		US003879139					
		US003910706					
		US003917420					
		US003937582					
		US004036412					
		US004039261					
		US004056110					
		US004124316					
		US004128910					
		US004155663					
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		US004269207					
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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US004692047					
		US004693622					
		US004717278					
		US004783874					
		US004844641					
		US004850730					
		US004886389					
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		US005802656					
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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US005842487					
		US005896614					
		US005909977					
		US005913632					
		US005915868					
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		US006022162					
		US006041467					
		US006095710					
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		US006202248					
		US006213663					
		US006227209					
		US006238118					
		US006241412					
		US006244777					
		US006260227					
		US006331088					
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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US006553604					
		US006602013					
		US006609848					
		US006654979					
		US0D0111609					
		US0D0282698					
		US0D0336567					
		US0D0364274					
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		US0D0450457					

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
		US0D0451286					
		US0D0451678					
		US0D0456607					
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		US0053807A1					